

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

706S0633

HOUSE BILL NO. 1238

Introduced by: Representatives Solum, Cronin, Fargen, Greenfield, Kirkeby, Kirschman, Tornow, and Wink and Senators Rhoden, Frerichs, Lederman, Maher, and Nelson (Tom)

1 FOR AN ACT ENTITLED, An Act to revise who may be issued special alcoholic beverage
2 licenses in conjunction with a special event and to require local governing bodies to
3 establish rules regulating and restricting the operation of special alcoholic beverage licenses.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 35-4-124 be amended to read as follows:

6 35-4-124. Any municipality or county may issue:

7 (1) A special malt beverage retailers license in conjunction with a special event within
8 the municipality or county to any civic, charitable, educational, fraternal, or veterans
9 organization ~~or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (16)~~
10 ~~in addition to any other licenses held by the special events license applicant;~~

11 (2) A special on-sale wine retailers license in conjunction with a special event within the
12 municipality or county to any civic, charitable, educational, fraternal, or veterans
13 organization ~~or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (12)~~
14 ~~or chapter 35-12 in addition to any other licenses held by the special events license~~



applicant;

(3) A special on-sale license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization ~~or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (16) in addition to any other licenses held by the special events license applicant; or~~

(4) A special off-sale package wine dealers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization ~~or any licensee licensed pursuant to subdivision 35-4-2(3), (5), (12), (17A), or (19) or chapter 35-12 in addition to any other licenses held by the special events license applicant.~~ A special off-sale package wine dealers licensee may only sell wine manufactured by a farm winery that is licensed pursuant to chapter 35-12.

Any license issued pursuant to this section may be issued for a period of time established by the municipality or county. However, no period of time may exceed fifteen consecutive days. The local governing body ~~may~~ shall establish rules to regulate and restrict the operation of the special license, including rules limiting the number of licenses that may be issued to any organization within any calendar year.